SINGLE BENCH

C.S. 1001 — (4)

IN THE HIGH COURT OFCHHATTISGARH AT BILASPUR

Writ petition No.3742/2006

PETITIONAR : Krishna Shekdar S/O Late Lekdar, aged-59 years, Post-Teacher, posted at primary school, Manendragagarh, District- Korea(C.G.)

P.R. No. 3692/06
Presented by Shri Ushu Chandrakar
dated 19/12/06

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through Secretary, Department of school education, D.K.S Bhawan, Raipur (C.G.)

2. The Collector Korea-Baikunthpur, District-Baikunthpur (C.G.)

RECEIVED-COPY
18/12/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

1. **PARTICULARS OF THE PETITIONAR** :-

XI-HC-78

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.3742/ **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

2-8-2006

Mr. Sudhir Verma, counsel for the petitioner.

Miss Deepali Pandey, Panel Lawyer for the State/respondents, on advance copy.

Heard both the counsel.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned legality and correctness of the order dated 7-7-2006 passed by respondent No.2, whereby the petitioner has been transferred from Primary School, Manendragarh to Middle School, Ghutra, Manendragarh.

Main grievance of the petitioner is that he has been transferred from general school to tribal school, which is ~~functioned~~ controlled, controlled and run by the Tribal Department. Another ground is that the petitioner is 40% handicapped person and he is taking treatment at Manendragarh, whereas, medical facilities are not available at Ghutra which is about 50 kms. away from Manendragarh.

Learned counsel for the petitioner submits that in the circumstances, the petitioner may be allowed to make a representation to respondent No.2 and he be directed to decide the same, to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a representation along with a copy of this writ petition to respondent No.2 within 10 days from today and in turn, respondent No.2 is directed to decide the representation of the petitioner within a period of 30

P.T.O.

(23)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3742/ **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	days from the date of its receipt, after considering the objections raised by the petitioner in an objective manner, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.2911/2006 and I.A.No.7157/2006 also stand disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Soma

P.T.O.